



CHANGE IN CIRCUMSTANCES, FILING HEARING REQUEST

OFFICE OF THE CITY CLERK LICENSE DIVISION
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► **3-YEAR DISQUALIFICATION PERIOD.** Whenever an application for a license is denied, not renewed, or revoked for a reason relating to the fitness of the location of the premises to be licensed, no other application by any party for the same license at the same premises can be recommended for approval within 3 years of the date of the denial, non-renewal or revocation unless the applicant has demonstrated a change of circumstances has occurred.

► **FILING HEARING REQUEST.** Any person wishing to request a hearing for the purposes of demonstrating that a change in circumstances has occurred at a premises during the disqualification period must first file with the City Clerk's Office—License Division a written statement that includes the following information:

1. The address of the premises.
2. The type of alcohol beverage license being sought.
3. The name and signature of the person filing the statement.
4. The date the statement is being filed.
5. The factors to be considered as a change in circumstances.

► **FACTORS TO BE CONSIDERED.** The factors considered by the Licenses Committee when determining whether a change in circumstances has occurred include, but are not limited to, whether any of the following have occurred:

1. A change in the type of license sought by the applicant.
2. A change in the number of premises holding the same license in the neighborhood.
3. A change in zoning applicable to the subject property.
4. Any new developments or land uses in the vicinity of the subject property.

► **NON-REFUNDABLE FEE REQUIRED.** The fee to file for a hearing related to changed circumstances is \$75. Make checks payable to: *City of Milwaukee*. Credit cards are also accepted online and in-person; cash is accepted from applicants filing in person only. When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

The fee, which is not refundable, is required to be paid at the same time the written statement requesting a hearing is filed.

► **ELIGIBILITY TO FILE HEARING REQUEST.**

1. **No hearing in first 12 months.** No hearing can be held within a period of 12 months following the date of denial, nonrenewal or revocation of a license for a reason relating to the fitness of the location of the premises.
2. **One hearing per person.** Not more than one hearing involving the same applicant or owner at the same premises can be held during the entire period of disqualification.

► **SEPARATE HEARINGS REQUIRED.**

1. **Change of circumstance hearing.** After a request is filed, a hearing is held in order to determine if changed circumstances exist sufficient for the removal of the disqualification.
2. **License application hearing.** If there is a finding that a sufficient change in circumstances is demonstrated, then a separate hearing will be scheduled to determine if the application should be recommended for approval or denial.

Need more information? Regulations relating to Change of Circumstances are located in ss. 81-19.2 and 85-11 to 15, Milwaukee Code of Ordinances, and may be viewed online at www.milwaukee.gov/ordinances